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EXAMINER

FU, HAO

ART UNIT

PAPER NUMBER

3693

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/630,708

Applicant(s)

STICKLER, VANTRESA

Examiner

HAO FU

Art Unit

3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-92 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-92 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

Claim Rejection 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-6, 8-12, 17, 20, 22-29, 31-35, 40, 43, 45-52, 54-58, 63, 66, 68-75, 77-81, 86, 89, 91, and 92 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Number 5,774,554 to Gilham, in view of US Patent Number 6,772,130 to Karbowski et al.

As per claim 1, 24, 47, and 70, Gilham teaches a method, implemented using a computer system, for providing a verifiable delivery payment coding, comprising:

transmitting verification data configured to be included in a delivery payment coding (see column 1, line 41-53, and column 16-38, Gilham discloses that a transaction identity number, which is the essential part of authentication code or the verification data, is transmitted from the remote resetting center to the postage meter); receiving an item sent by the sender in an item delivery system, the item comprising the delivery payment coding including the verification data (see column 4, line 20-25; "authentication code" is equivalent to encrypted form of verification data, because they have the same function of verifying the authentication of the delivery payment coding; prior art discloses that the authentication data is printed on the mail item, see column 3, line 62-65); and

verifying the authenticity of the delivery payment coding using the verification data (see column 5, line 38-55; "printed information" contains "franking impression" which is equivalent to delivery payment coding, because they both indicate whether the delivery of mail has been paid for; "transaction identity number" is the decrypted verification data; prior art teaches verifying the authenticity by checking the transaction identity number against the transaction number from the database); the verifying comprising:

comparing, using the computer system, the verification data obtained from the delivery payment coding to a verification database, checking whether the verification data obtained from the delivery payment coding matches corresponding verification data in the verification database (see column 5, line 28-50; prior art teaches "transaction

identity number" is obtained from decoding the "authentication code", thus "transaction identity number" can be understood as decrypted verification data; prior art further teaches "the transaction identity number obtained from the code is checked against the transaction number from the database").

Examiner notes however, Gilliam does not teach collecting electronic notification information from a sender; updating the verification database with a time or location of the item in the item delivery system; and using the electronic notification information to electronically transmit to the sender a notice containing the time or the location of the item in the item delivery system.

Karbowski teaches a package tracking system and method in which a send and a recipient of a package are provided e-mail messages including information from a sender or carrier web page and the package location status (see abstract). As such, Karbowski teaches collecting electronic notification information from a sender (abstract, especially "package tracking request, including a tracking number and an e-mail address is submitted to a data center"; also see column 2, line 28-60, column 4, line 11-19, and column 5, line 63 through column 6, line 14; furthermore, column 3, line 12-22 defines that the "customer" or user, who is to receive email notification regarding to the delivery status, can be any user of the tracking system, including sender and recipient; this interpretation is also supported by the abstract);

updating the verification database with a time or location of the item in the item delivery system (see abstract, column 2, line 53-58, and especially column 3, line 52-65); and

using the electronic notification information to electronically transmit to the sender a notice containing the time or the location of the item in the item delivery system (see abstract, column 2, line 28-60, column 3, line 61-65; especially "In the package tracking system and method according the present invention, a sender and a recipient of a package are able to determine the package's location while it is enroute for delivery).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the Gilliam reference with the teaching from the Karbowski reference to include a tracking and notification system. One of ordinary skill in the art would have been motivated to combine the references in order to in order to provide desirable delivery status information to users.

As per claim 2, 25, 48, and 71, Gilham teaches wherein the verification data included in the delivery payment coding is machine readable (see column 3, line 62-67, and column 4, line 1-19; "authentication code" is equivalent to encrypted verification data, because they have the same function, which is to verify the authentication of the delivery payment coding; prior art discloses that the authentication code is printed in bar code form, which is machine readable).

As per claim 3, 26, 49, and 72, Gilham teaches wherein the verification data included in the delivery payment coding is optically scannable (see column 3, line 62-67, and column 4, line 1-19; "authentication code" is equivalent to encrypted verification data, because they have the same function, which is to verify the authentication of the delivery payment coding; prior art discloses that the authentication code is printed in bar code form, which is optically scannable).

As per claim 4, 27, 50, and 73, Gilham teaches wherein the verification data is included in the delivery payment coding using at least one of a bar code and a PLANET code (see column 3, line 62-67, and column 4, line 1-19; "authentication code" is equivalent to encrypted verification data, because they have the same function, which is to verify the authentication of the delivery payment coding; prior art discloses that the authentication code is printed in bar code form).

As per claim 5, 28, 51, and 74, Gilham teaches wherein the delivery payment coding is included in an address label (see column 1, line 50-52; as discussed earlier, "franking impression" is equivalent to delivery payment coding; address label is pasted on the mail item; therefore, it makes no difference whether the delivery pay coding is printed directly on the mail item or printed on the address label and later pasted on the mail item).

As per claim 6, 29, 52, and 75, Gilham teaches wherein the delivery payment coding includes a visual representation of a monetary value associated with the delivery payment coding (see column 5, line 33-37; prior art teaches "postage charge value" is printed on the mail item; it is safe to assume that the charge value is a visual representation of a monetary value).

As per claim 8, 31, 54, and 77, Gilham teaches wherein the item comprises at least one of a mailpiece, a United States Postal Service Priority Mail package, a United States Postal Service Express Mail Package, a United States Postal Service Global Express Mail Package, and a United States Postal Service Global Express Guarantee Package (see column 1, line 39-62).

As per claim 9, 32, 55, and 78, Gilham teaches transmitting the verification data further comprises utilizing at least one of regular mail, email, internet, and an interactive voice response system (see column 5, line 16-28; transaction identity number is essentially the verification data prior to encryption).

As per claim 10, 33, 56, and 79, Gilham teaches transmitting the verification data further comprises communicating over a network (see column 5, line 16-28; transaction identity number is essentially the verification data prior to encryption).

As per claim 11, 34, 57, and 80, Gilham teaches wherein the verification data is provided in an encrypted format (see column 4, line 26-27; "authentication code" is

equivalent to verification data as discussed earlier; it is apparent that the authentication code is in encrypted format, which requires decoding).

As per claim 12, 35, 58, and 81, Gilliam teaches receiving a request for the verification data included in the delivery payment coding (in the context of the independent claims, this feature discloses nothing more than initiating a reading on the verification data or initiating the authentication process on the verification data; see column 1, line 53-62, and column 2, line 14-30, Gilham teaches when a mail item is received at a delivery system, the printed information is read by the electronic mail reader, and the authentication code or the verification code is located; then the postal authority "requests" to decrypt the authentication code or verification code to retrieve the transaction identity number for comparative authentication; and as discussed earlier, Gilham teaches the verification data is configured to be included in a delivery payment coding); and

receiving a payment for delivery of the item (it is inherent that a payment is received by the postal service entity for delivering an item).

As per claim 17, 40, 63, and 86, Gilham teaches wherein verifying the authenticity of the delivery payment coding further comprises:

receiving the verification data from the delivery payment coding after the item has been received in the item delivery system (see column 4, line 20-25; "authentication code" is encrypted verification data as discussed earlier).

Gilham at least suggests determining the validity of the verification data obtained from the delivery payment coding (see column 5, line 47-52; prior art performs a comparison of the verification data obtained from encrypted code and from database; it is implied that the reason for doing this comparison is to determine the validity of the verification data).

As per claim 20, 43, 66, and 89, Gilham teaches wherein verifying the authenticity of the delivery payment coding further comprises updating the verification database if it is determined that the verification data is valid (see column 5, line 47-52; prior art performs a comparison of the verification data obtained from encrypted code and from database; it is implied that the reason for doing this comparison is to determine the validity of the verification data). However, Gilliam fails to teach the update indicating that the item is in route through the item delivery system to a recipient.

Karbowski teaches update indicating that the item is in route through the item delivery system to a recipient (see abstract, column 2, line 53-58, and especially column 3, line 52-65).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the Gilliam reference with the teaching from the Karbowski reference to include a tracking and notification system. One of ordinary skill in the art would have been motivated to combine the references in order to in order to provide desirable delivery status information to users.

As per claim 22, 45, 68, and 9a, Gilham teaches wherein transmitting verification data further comprises providing the verification data to a user through a user device (see column 1, line 41-46, especially "remote center generates a new transaction identity number to a mail sender's postage meter"; "transaction identity number" is decrypted verification data as discussed on claim 1, and "mail sender's postage meter" is clearly a user device), the user device configured to produce the delivery payment coding including the verification data (see column 1, line 46-52; "franking impression" is delivery payment coding).

As per claim 23, 46, 69, and 92, Gilham teaches wherein the user device is located in at least one of a home, an office, a store, a retail center kiosk, and an office of an item delivery system operator (see column 1, line 41-52; it is implied that the user device or "mail sender's postage meter" is located in at least one of a home, an office, a store, a retail center kiosk, and an office of an item delivery system operator; one of these location always has a postage meter).

Claim 7, 19, 30, 42, 53, 65, 76, 88 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Number 5,774,554 to Gilham, in view of US Patent Number 6,772,130 to Karbowski et al. and US Patent Number 6,385,504 to Pintsov et al.

As per claim 7, 30, 53, and 76, Gilham does not limit wherein the item delivery system comprises the United States Postal Service.

Pintsov teaches the item delivery system comprises the United States Postal Service (see column 3, line 39-51, Pintsov's and Gilham's invention are in the same endeavor, and Pintsov also teaches a method for providing a verifiable delivery payment coding; see column 1, line 25-35, Pintsov teaches the item delivery system comprises the United States Postal Service).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the Gilliam reference with the teaching from Pintsov to include the item delivery system comprises the United States Postal Service.

One of ordinary skill in the art would have been motivated to combine the references in order to permit USPS to use the invention.

As per claim 19, 42, 65, and 88, Gilliam teaches verifying the authenticity of the delivery payment coding further comprises updating the verification database if it is determined that the verification data is valid (see column 5, line 47-53). However, Gilliam does not explicitly teach the update indicates that the verification data has been used.

Pintsov teaches the update indicates that the verification data has been used (see abstract, column 3, line 39-55, "unique identifier" is equivalent to verification data; Pintsov further teaches "the carrier service may note this fact in the carrier records to prevent reuse of the unique identifier").

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the Gilliam reference with the teaching from Pintsov to include the update indicates that the verification data has been used.

One of ordinary skill in the art would have been motivated to combine the references in order to prevent reuse of the verification data.

Claim 13-16, 18, 21, 39, 41, 44, 59-62, 64, 67, 82-85, 87, and 90 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Number 5,774,554 to Gilham, in view of US Patent Number 6,772,130 to Karbowski, and further in view of Official Notice.

As per claim 13, 36, 69, and 82, Gilham does not explicitly teach wherein at least one of receiving the request for the verification data included in the delivery payment coding and receiving the payment further comprises utilizing at least one of regular mail, e-mail, facsimile, internet, and an interactive voice response system.

Official Notice is taken that receiving request for data and payment utilizing at least one of regular mail, e-mail, facsimile, internet, and an interactive voice response system is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the Gilliam reference with the teaching from Official Notice to include receiving request for data and payment utilizing at least one of regular mail, e-mail, facsimile, internet, and an interactive voice response system.

One of ordinary skill in the art would have been motivated to combine the references in order to provide different method of requesting data and payment. Also, as discussed above, Gilham teaches the verification data is included in the delivery payment coding.

As per claim 14, 37, 60, and 83, Gilham does not explicitly teach wherein at least one of receiving the request for the verification data included in the delivery payment coding and receiving the payment further comprises communicating over a network.

Official Notice is taken that receiving request for data and payment comprises communicating over a network is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the Gilliam reference with the teaching from Official Notice to include

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at least one of receiving the request for the verification data and receiving the payment further comprises communicating over a network.

One of ordinary skill in the art would have been motivated to combine the references in order to allow request of data and payment over long distance. Also, as discussed above, Gilham teaches the verification data is included in the delivery payment coding.

As per claim 15, 38, 62, and 84, Gilham does not explicitly teach wherein receiving the payment comprises at least one of sending a bill, debiting a checking account, debiting a credit card account, debiting a debit card account, and receiving cash.

Official Notice is taken that receiving the payment comprises at least one of sending a bill, debiting a checking account, debiting a credit card account, debiting a debit card account, and receiving cash is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the Gilliam reference with the teaching from Official Notice to include receiving the payment comprises at least one of sending a bill, debiting a checking account, debiting a credit card account, debiting a debit card account, and receiving cash.

One of ordinary skill in the art would have been motivated to combine the references in order to provide payment option.

As per claim 16, 39, 62, and 85, Gilham teaches further comprising: delivering the item to a recipient (Gilham's invention relates to postal authority; it is inherent that postal authority delivers the item to the recipient);

Examiner notes however, Gilham does not teach confirming the item delivery using the verification data from the delivery payment coding.

Official Notice is taken that confirming the item delivery as part of the features of track and trace capability of mail item is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the Gilliam reference with the teaching from Official Notice to come up with confirming the item delivery using the verification data from the delivery payment coding.

One of ordinary skill in the art would have been motivated to combine the references in order to provide item mailing status.

As per claim 18, 41, 64, and 87, Gilliam does not teach wherein verifying the authenticity of the delivery payment coding further comprises returning the item to a sender if it is determined that the verification data is invalid.

Official Notice is taken that returning the item to a sender if it is determined that the verification data is invalid is old and well known.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the Gilliam reference with the teaching from Official Notice to include returning the item to a sender if it is determined that the verification data is invalid.

One of ordinary skill in the art would have been motivated to combine the references in order to improve customer service.

As per claim 21, 44, 67, and 90, Gilham does not teach wherein the verification data is configured to be invalid after a period of time has passed after the verification data was provided.

Official Notice is taken that making verification data or identifier invalid after a period of time is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the Gilliam reference with the teaching from Official Notice to include verification data is configured to be invalid after a period of time has passed after the verification data was provided.

One of ordinary skill in the art would have been motivated to combine the references in order to set time limit to the mailer for sending out the item.

Prior Art Cited but not Applied

US Patent No.: 6,976,007 to Boucher et al. is cited because it teaches a tracking system which collects notification information from sender, updates the database regarding to the whereabouts of an item, and sends email notice to the sender regarding to the delivery status of the item.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HAO FU whose telephone number is (571)270-3441. The examiner can normally be reached on Mon-Fri/Mon-Thurs 11:30am-8:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAMES KRAMER can be reached on (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James A. Kramer/
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